

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION
(AT DAYTON)

JANE WARNER, et al.,

Plaintiffs,

v.

DEAN A. GENTH, et al.,

Defendants.

CASE NO. 3:04CV0353

JUDGE THOMAS M. ROSE

**STIPULATION OF DISMISSAL WITH
PREJUDICE**

The Parties, by their counsel, pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure stipulate that the above-captioned matter has been settled and that the action, including the Complaint as amended and the Counterclaim, be dismissed with prejudice as to the Parties, each Party to bear its own costs, litigation expenses and attorneys fees, provided that any of the Parties may, upon good cause shown within sixty (60) days, re-open this action if settlement is not consummated.

The Parties intend to preserve this Court's jurisdiction to enforce the terms of the settlement between the Parties, if necessary.

Respectfully submitted,

/s/ Gregory K. Pratt
GREGORY K. PRATT (0006432)
Pratt Singer Papakirk
301 North Breiel Blvd.
Middletown, OH 45042
513.705.9000/513.705.9001 (facsimile)
gpratt@psplegal.com
Attorney for Plaintiffs

/s/ Stephen E. Gillen
STEPHEN E. GILLEN (0033094)
RICHARD BOYDSTON (22360)
Greenebaum Doll & McDonald PLLC
2800 Chemed Center
255 East Fifth Street
Cincinnati, OH 45202
513.455.7663/513.762.7963 (facsimile)
seg@gdm.com
rb2@gdm.com
Attorneys for Defendants
Krause Publications, Inc. and
F & W Publications, Inc.

/s/ John S. Kluznik
JOHN S. KLUZNIK (0017473)
Weston Hurd LLP
1301 East 9th Street, Suite 1900
Cleveland, Ohio 44114-1862
216.241.6602/216.621.8369 (facsimile)
JKluznik@westonhurd.com
Attorney for Defendant
Dean A. Genth

IT IS SO ORDERED ON THIS Eighth DAY OF MARCH, 2006

s/Thomas M. Rose

JUDGE THOMAS M. ROSE
United States District Judge